IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

CIVIL WRIT No. 47 of 2006

KISHANA RAM & ORS.
V/S
SMT. TULSHI DEVI & ORS.

Mr. DK PARIHAR, for the appellant / petitioner

Date of Order : 9.1.2007

HON'BLE SHRI N P GUPTA,J.

ORDER

Learned counsel for the petitioner relies on the judgment of this Court in Birju & Anr. Vs. Behram & Ors., reported in 1995(1) WLC 445 to contend that the application under Order 41 Rule 27 should have been decided at the time of hearing of the revision itself. As a legal proposition, that is correct, but then, it appears that it was the petitioner, who himself argued the application, and invited the decision. In that view of the matter, I do not find any sufficient ground to interfere with the impugned order. The writ petition is, therefore, dismissed summarily.

(N P GUPTA),J.

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